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Proposed Plan and Environmental Assessment

U.S. Bureau of Land Management

Milwaukee District Office

February 1985

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
MILWAUKEE DISTRICT OFFICE
P.O. BOX 631
MILWAUKEE, WISCONSIN 53201-0631

September 11, 1984

MICHIGAN: PROPOSED PLAN AND ENVIRONMENTAL ASSESSMENT

Finding of No Significant Impact

The proposed Michigan Plan and Environmental Assessment document (Control No. ES-84-001) has been prepared under my direction. On the basis of the analysis and consultation summarized therein, I have concluded that no significant environmental effects are likely to occur if the Proposed Plan is implemented. Therefore, no Environmental Impact Statement will be prepared.

Chuck Steele

Chuck Steele
District Manager

MICHIGAN

Proposed Plan and Environmental Assessment

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MICHIGAN

PROPOSED PLAN AND ENVIRONMENTAL ASSESSMENT

I. INTRODUCTION

This Plan (Section III.B.), if approved, will guide resource management decisions for Bureau of Land Management (BLM) administered lands and minerals resources in the State of Michigan. This planning effort is the culmination of an effort begun in 1982 and then known as the Michigan Multiple-Use Planning effort. The current planning effort, consistent with provisions of 43 CFR 1610.8(b) and other applicable regulations, also contains an environmental assessment (EA). This EA evaluates and compares the probable effects of the Proposed Plan and other reasonable alternatives.

The primary reason for preparing the Michigan Plan is to initiate an active management posture with regard to Public Domain lands and Federal minerals. Public Domain lands are those which have never left Federal ownership. The State of Michigan in pursuing a claim of ownership to the Great Lakes islands under the Submerged Lands Act.

The Public Domain tracts consist of 740 islands and 25 upland tracts, totaling approximately 3,200 acres, scattered throught 65 Michigan counties. These tracts were left in Federal ownership after the other, more desirable, lands were placed in State or private ownership during settlement. The Public Domain tracts include both surface and mineral estate ownership.

Federal Mineral Ownership under consideration in this Plan consists of numerous scattered tracts of Federal mineral estate under surface owned by the State, local governments and private persons. This "split-estate" Federal Mineral Ownership totals approximately 136,000 acres. The Public Domain mineral estate (above) is also considered in the mineral portions of this Plan. Thus, the total Federal Mineral Ownership under consideration is approximately 139,200 acres.

It is important to recognize that this planning effort is not a land use plan for private, State, or other (non-BLM) Federal agency resources. In Michigan, the majority of BLM administered mineral ownership is "split-estate", as mentioned above. BLM administers part or all of the mineral estate, but has no jurisdiction over the surface estate. Since BLM does not manage the surface over these Federal minerals, the Michigan Plan does not contain decisions pertaining to use of "split-estate" surface. In addition to Federal Mineral Ownership acreage assessed in this document, BLM also has minerals management responsibility under approximately 1.2 million acres of other Federal agency administered surface (e.g., Forest Service, Park Service, Fish and Wildlife Surface, Corps of Engineers) in the State.

Under the BLM minerals leasing program the Federal surface managing agency has a responsibility for concurring in mineral leasing and

development. BLM is actively working with other Federal agencies to improve Federal Mineral Ownership records and to ensure compatibility between agency activities and development of the mineral resource. Other Federal agency plans, and environmental or other project documents, are reviewed in order to assess how proposed surface management actions will affect development of the mineral resource. For example, frequent coordination between BLM and the Forest Service concerns their planning efforts with regard to minerals development. Criteria have been prepared to evaluate the treatment of minerals development in planning efforts on the Ottawa, Hiawatha and Huron-Manistee National Forests.

The surface managing agencies retain full authority to manage their programs and surface resources, even though BLM administers the underlying mineral estate.

Present management of BLM surface lands and mineral resources in Michigan is custodial.

II. PLANNING ISSUES AND DECISION CRITERIA

The two planning issues addressed in the Plan are lands disposal and minerals development. The bases for resolution of these issues were addressed in the Michigan Preplan and other planning documents which are available for public inspection at the Milwaukee District Office.

The Michigan Plan was prepared in accordance with the Federal Land Policy and Management Act of 1976, Bureau planning regulations at 43 CFR 1601 et seq., Bureau Manual Sections 1601-1632, and State Director Guidance for Planning in the Eastern States Office. Existing information, developed chiefly during the management situation analysis for this planning effort, has been used as much as possible.

Several characteristics of BLM surface and mineral resources determine the planning approach. These are:

A. A field inventory and county records review has revealed that many of the islands and mainland tracts are encumbered with some type of title conflict or unauthorized use. All of the mainland tracts lack final title verification. The State of Michigan has applied for 733 of the tracts under the authority of the Recreation and Public Purposes Act. The Plan deals with all tracts as if BLM has clear ownership, although all title claims must be resolved prior to any implementation action.

B. Since BLM ownership is scattered throughout the State, no site visits were done for planning. Planning is based on best available information and the potential for occurrence of sensitive surface values. After completion of the Plan, implementation will be on the basis of land reports with site-specific analysis.

C. The Plan establishes management areas, goals, objectives and constraints for development of approximately 3,200 acres of public land surface and minerals administered by BLM and approximately 136,000 acres of "split-estate" Federal minerals.

D. There are approximately 1.2 million acres of Federal minerals under surface administered by other Federal agencies (primarily the Forest Service, Park Service, Corps of Engineers and other Department of Defense lands). These other surface managing agencies are responsible for concurring in mineral leasing and development subject to such constraints as they may determine necessary to ensure compatibility with their projects, programs and activities.

E. This planning effort does not make decisions for the management of Federal minerals under surfaces controlled by other Surface Management Agencies. BLM is responsible for management of this Federal mineral resource, for evaluating mineral development potential and environmental impacts, for issuing decisions on mineral development applications, and for incorporating the needs of the Surface Managing Agencies into any permitted activities.

F. BLM is actively encouraging coordination with the Surface Managing Agencies in Michigan in order to improve Federal Mineral Ownership records and to provide for compatibility between Surface Managing Agencies activities and development of the mineral resource.

G. Federal minerals are generally unavailable for disposal unless it can be demonstrated that either (a) there are no known mineral values in the land, or (b) the reservation of the mineral rights is interfering with or precluding appropriate non-mineral development of the land and such development is a more beneficial use than mineral development. The requirements of Federal Land Policy and Management Act Sec. 209 and applicable regulations must be satisfied. Therefore, disposal of Federal minerals has not been addressed in this planning effort.

The two resource allocation issues that the Plan deals with are land disposal and minerals development. The minerals resource development issue will focus on hard-rock mineral exploration and oil and gas development.

1. Mineral Development

The Plan delineates areas available for leasing or development and will indicate requirements for coordination with surface owners and restrictions needed to protect surface resource values. Minerals development will be coordinated with other Federal, State and local land use plans. Michigan has been excluded from the provisions of the Mining Law of 1872. Therefore, BLM does not have authority to permit development of Public Domain hard-rock minerals within the State. Oil and gas leasing and development are governed by the rules of 43 CFR Group 3100.

2. Disposal of BLM Surface Ownership

Disposal, for purposes of this Plan, is defined as any divestiture of surface management responsibility by BLM. Several methods of disposal are available to the Bureau,

including transfers under the Recreation and Public Purposes Act, exchanges utilizing a third party resulting in a reduction of BLM acreage, public sales, patents under Color-of-Title, and transfers to another Federal agency through withdrawal.

Much of the public land in Michigan is scattered and unsurveyed, with most of the tracts consisting of small islands. In most cases these tracts have public values that should remain in public ownership, but not necessarily under BLM administration. In such cases these tracts could be transferred to other public agencies. Tracts which have low resource values could be offered to the public through sale procedures.

The policy of the Bureau regarding land disposal in the Eastern States was expressed by the Bureau's Director:

"The primary mission of the Eastern States Office [which includes the Milwaukee District Office] is recognized as minerals management, but within the multiple use context provided by the Federal Land Policy and Management Act. Surface jurisdiction will be transferred on a systematic, planned basis to other State and Federal agencies where such transfers will not adversely impact utilization of economically significant mineral resources or where surface resource values exceed mineral values. This transfer will be accomplished using a streamlined land use planning process."

"In cases where appropriate recipients for transfer of surface ownership cannot be found, BLM may: (1) retain Federal ownership and undertake custodial management; (2) retain Federal ownership and use cooperative agreements with public or non-profit bodies; or (3) offer the land for public sale. Decisions for appropriate public uses and/or public sale shall be made during the land use planning process. In exceptional circumstances, where important public interest values are identified and no other appropriate agency is available for management, the Bureau may retain Federal ownership and undertake a purposeful management program." (Instruction Memorandum No. 80-485, April 29, 1980.)

A parcel of BLM land cannot be disposed of unless the requirements of numerous laws and executive orders are satisfied. These include the Federal Land Policy and Management Act of 1976 which provides for sales (Section 203), withdrawals (Section 204), exchanges (Section 206), and Recreation and Public Purposes Act leases and sales (Section 212).

Procedural requirements include cadastral survey, land appraisal, land report, adjudication, mineral interference evaluation and land title verification. These requirements will be fulfilled following planning, during casework processing.

The Plan identifies the potential for sensitive surface values. Disposal decisions will be made contingent upon clearances for these values in the environmental analysis for specific tracts.

III. ALTERNATIVES

Both the National Environmental Policy Act regulations and BLM resource management planning regulations require the formulation of plan alternatives. Each alternative represents a plan to guide future management of public land and resources. One alternative must represent "no action", which is a continuation of present levels or systems of resource use.

Federal laws, regulations and executive orders require special consideration for certain public values under any alternative. These include floodplains, wetlands, threatened and endangered species and cultural resource sites. Mineral resource development is also governed by extensive laws and regulations. The following alternatives address only retention or disposal of land surface, and management objectives for mineral potential areas. The alternatives do not propose any changes in management from that required by law or regulation.

A. Alternatives Eliminated From Further Study

The following two alternatives were considered as possible methods of resolving specific issues identified in the Michigan planning effort, but were eliminated from further study.

1. Surface Retention and Active Management

Retention and active management of Federal surface by BLM under foreseeable funding and staffing levels is not considered a reasonable alternative from practical, policy or sound resource management points of view.

2. Mineral Estate Transfer

Sale of Federal mineral estate to private persons is so constrained and limited by Sec. 209 of the Federal Land Policy and Management Act that it cannot be considered a reasonable areawide alternative. (Although this alternative will not be considered further, Sec.209 applications will continue to be processed on a case-by-case basis).

B. Preferred Alternative - The Proposed Plan

1. Lands Disposal

a. Proposed Decision

All BLM surface tracts are categorized for disposal and will be evaluated on a tract-by-tract basis against the criteria in Appendix A. Appendix A describes surface disposal options and criteria. Where possible, the preferred method of disposal will be by transfer to another public agency or non-profit entity. Where subsequent site-specific analysis reveals no interest by another public or non-profit body, BLM tracts may be offered through sale or exchange to private ownership. Tracts will

be retained under BLM administration only where sensitive or unique resource values merit continued public management and no other public or non-profit body is available or willing to assume jurisdiction. Management of retained tracts will be custodial. Preference for sale or transfer may be readjusted based on new policy changes, as well as on site-specific analysis. If additional BLM surface tracts are revealed in the future, they will also be evaluated and categorized for disposal.

b. Implementation

The following actions will be necessary to implement this alternative:

(1) Subsequent to Plan approval, each tract will be scheduled for an on-site inspection and evaluation of renewable resource values and uses, resolution of occupancy or title conflict situations if any, and potential for transfer or sale. Sale terms and/or deed restrictions, if necessary, will reference applicable local or State land use requirements.

(2) Any unauthorized use (occupancy), Color-of-Title or title conflict situation will have to be resolved prior to any other implementing action.

(3) A land report will be prepared for each tract to present findings and recommend a preferred transfer option. The various transfer options available include:

(a) Recreation and Public Purposes Act lease or sale;

(b) Withdrawal on behalf of another Federal agency;

(c) Exchange between another Federal agency and a third party (private, State or local government);

(d) Color-of-Title patent for claimants who satisfy the requirements of the Color-of-Title Acts; and

(e) Sale.

(4) A site-specific environmental analysis will be prepared for each tract (or related groups of tracts) to evaluate the potential effects of the preferred transfer option and reasonable alternatives.

(5) Prior to any final transfer, a Notice of Realty Action will be published to provide 45 days public notice and opportunity to comment on the action.

2. Minerals Development

a. Proposed Decision

The minerals management areas and objectives in Appendix B are adopted to guide minerals management in Michigan. Boundaries of the management areas may be adjusted based on new resource data.

All Federal Mineral Ownership is available for exploration and development except where legal restrictions, intergovernmental consistency requirements, administrative or Congressional designations, or surface resource sensitivity prohibit such activities.

b. Implementation

The following actions will be necessary to implement this alternative:

(1) Subsequent to plan approval, action planning will be pursued on a commodity-specific basis to develop specific management guidelines within each management class. Action planning will prioritize and schedule lease sales where appropriate.

(2) The comprehensive inventory of Federal Mineral Ownership status, currently underway in coordination with the State and other Federal agencies, will continue to determine exact locations and descriptions of mineral ownership and its availability for development.

(3) Mineral leasing and development authorizations will in every case be preceded by environmental analysis, consultation with the surface owner or manager, and joint on-site inspections if appropriate, to evaluate the effects of the proposed action and any reasonable alternatives. Environmental analyses will be done at the leasing and pre-drilling stages for oil and gas development.

(4) Stipulations or conditions of approval will be attached to authorizations as appropriate to ensure resource conservation, to protect threatened or endangered species or cultural resource values, and to otherwise comply with applicable laws and regulations.

(5) Periodic monitoring and inspections will be conducted to ensure compliance with the terms of authorizations and to mitigate any unforeseen consequences of development.

C. "No Action" Alternative

The "no action" alternative (no change from present management) will be evaluated in the environmental assessment for both lands and minerals and will be considered the only other reasonable alternative.

1. Lands

BLM will retain all tracts under custodial-type management with processing of applications for Recreation and Public Purposes, public sales, withdrawals or transfers as needed on a case-by-case basis. Unauthorized uses and title conflicts will be resolved as these problems are identified.

2. Minerals

BLM will process non-competitive oil and gas lease applications by industry or private individuals on a case-by-case basis. New geologic structures will be identified by BLM only as they become apparent through the non-competitive leasing process and subsequent exploratory drilling. Hard-rock exploration permits will be processed on a case-by-case basis.

IV. AFFECTED ENVIRONMENT

This planning effort has identified known and potential sensitive resource values on the 740 islands and 25 upland tracts BLM administers. Forty-four cases of unauthorized use or title conflicts have been identified. The majority (667) of the islands are unsurveyed.

A. BLM Surface Tracts (Islands and Uplands)

A detailed, tract-by-tract matrix and staff technical reports are available for inspection in the Analysis of the Management Situation files. Resource information was gathered from the Michigan island inventory reports, other agency input and BLM casework documents. A listing of the surface resources affected by the alternatives was previously published in the Summary of the Management Situation, and is further summarized as follows:

1. Threatened and Endangered Species

Thirty-three (33) tracts have known occurrences of threatened and endangered species (plants and animals). Forty-five (45) tracts have high potential for occurrence.

2. Floodplains

Three hundred thirty-three (333) islands and two upland tracts are within defined floodplains.

3. Wetlands and Coastal Zones

All 740 islands and nine of the upland tracts include wetlands. One hundred fifty-six (156) islands and four upland tracts are

within the boundaries of the Michigan Coastal Zone Management Areas along Lakes Michigan, Huron and Superior and connecting waterways.

4. Wilderness Values

All BLM roadless islands in Michigan were evaluated for their wilderness potential and were found to be lacking wilderness characteristics. Therefore, none of the islands were recommended for designation as wilderness study areas. The final decision was published in the Federal Register on March 3, 1982.

5. Areas of Critical Environmental Concern

Eighteen (18) islands are within or immediately adjacent to State-managed scientific and natural areas, and possess similar characteristics. No tracts have been formally designated as ACEC's.

6. Scenic and Visual Resources

The vast majority of the tracts are too small for any viable visual resource potential. However, all islands are within "seen areas" of many recreation users. Scenic quality sensitivity to change is high due to the islands' small size.

7. Air Quality and Water Resources

Air quality in the Upper Pennisula and western half of the Lower Pennisula is generally good. The industrial centers of Detroit, Lansing, Flint, Saginaw and the southwestern corner around Benton Harbor have lower air quality.

Water quality is generally high in the lakes and rivers of the Upper Pennisula, the north half of the Lower Pennisula and the Great Lakes. Decreased quality is associated with some of the major cities. BLM lands affected by reduced water quality are found in the Flint River below Flint and the Kalamazoo River near Kalamazoo.

8. Cultural and Paleontological Resources

BLM tracts were evaluated for cultural resource potential by the Michigan State Historic Preservation Officer as follows:

Forty-one (41) tracts have high potential.
Six hundred sixty-four (664) tracts have medium or low potential.
Sixty (60) tracts have unknown potential.

9. Prime and Unique Farmlands

The islands' small size and inaccessibility limit their agricultural potential. None of the uplands meet the criteria for prime farmlands.

10. Wild and Scenic Rivers

Five (5) islands are in the Manistee River (a study river in the Federal system). Twenty-one (21) islands are in the Huron State Wild and Scenic River.

B. Federal Minerals

BLM administers approximately 136,000 acres of Federal Mineral Ownership under State, county or private surface ownership. Federal minerals under BLM surface adds another 3,200 acres, for a total of 139,200 acres of Federal Mineral Ownership under consideration in this Michigan planning effort. Minerals data summarized in the environmental assessment are taken from District geologic-planning files and supporting maps. The Minerals Inventory Report for Planning in Michigan and supporting mineral potential maps (1:500,000 scale) are available for public inspection at the District Office.

1. Inventory and Potential

Please refer to the map, Appendix B, based on the Minerals Inventory Report for Planning in Michigan. Information from this report was extracted in the previously published Summary of the Management Situation, and in further summarized as follows:

Federal Mineral Ownership in the Lower Peninsula of Michigan is prospectively valuable for oil and gas and to a somewhat smaller degree, various industrial minerals.

There is potential in Michigan's Upper Peninsula for copper, iron ore and uranium, but this is somewhat more speculative due to the limited amount of exploration on Federal Mineral Ownership for metals and the uncertainty regarding the potential for uranium. More intensive research may confirm or deny commercial potential on Federal Mineral Ownership. The State has noted an increase in exploration permits on State lands in the Upper Peninsula.

2. Surface Resource Values

Very little information is available at the present time on critical surface resource values (threatened and endangered species and cultural resources) over acquired Federal minerals, due to the large number and wide distribution of Federal Mineral Ownership parcels and the logistics of data collection. Numerous surface owners (State, counties and private individuals) are involved. Information on these resources will be requested from surface owners and appropriate Federal agencies on a case-by-case basis as lease applications are filed.

V. ENVIRONMENTAL CONSEQUENCES

A. "No Action" Alternative

Under the "no action" alternative BLM minerals development would be less systematic, depriving Federal, State and local governments of

potential revenue. It would also preclude coordinated information gathering on Federal minerals, which might affect levels of development. Overall, land and minerals actions would be processed on an "as needed" basis. Planning coordination with local and State agencies would be piecemeal and unorganized.

For surface resource values, continued "no action" would not result in any significant difference in impacts from that of the preferred alternative since the same regulatory requirements apply in each case. However, retention by BLM without the capability for an active management posture would prolong the vulnerability of surface values to inadvertent loss or damage by unauthorized use.

Continued custodial management by BLM would not provide for systematic resolution of title and jurisdictional conflicts.

B. Preferred Alternative - The Proposed Plan

The environmental consequences are presented by resource category. Resource components that would not be affected by the lands disposal or the mineral development issues are not discussed.

1. Threatened and Endangered Species

a. Lands

The Analysis of the Management Situation identified 33 tracts with known occurrences of State or federally listed threatened and endangered species, and 45 tracts with high potential for such occurrences. Site-specific environmental analyses will be prepared for each tract or groups of tracts to evaluate and mitigate the potential effects of the preferred transfer option and reasonable alternatives. At that time a Section 7 (Endangered Species Act of 1973) consultation will be conducted with the Fish and Wildlife Service for each tract. No significant environmental consequences are anticipated.

b. Minerals

Little is known of the surface resources on split-estate Federal Mineral Ownership. However, the Plan's procedures for mineral development require that an environmental analysis and surface owner consultation precede mineral leasing and development authorizations in order to evaluate the effects of the proposed action. Appropriate stipulations developed as a part of the case processing will ensure protection of sensitive values and mitigate impacts which may result from the implementation of the preferred alternative. Therefore, no significant environmental consequences are anticipated.

2. Floodplains

The Analysis of the Management Situation identified 335 tracts within defined floodplains. A portion of the Federal Mineral

Ownership is undoubtedly within floodplains. Executive Order 11988 requires Federal agencies to avoid, to the extent possible, the long and short term impacts associated with occupancy or modification of floodplains. BLM will evaluate the potential effects of any implementing action it may take in a floodplain and will consider alternatives and formulate mitigating measures. This evaluation and mitigation effort will occur during the case-by-case environmental analysis prior to any lands or minerals development action. No significant environmental consequences are anticipated.

3. Wetlands and Coastal Zones

All of the tracts but three include wetlands, and some of the Federal Mineral Ownership will undoubtedly have some wetland areas. Executive Order 11990 applies to wetlands and details the special consideration to be met when considering actions affecting wetlands. Federal agencies are to take action to minimize the destruction, loss, or degradation of wetlands and are required to preserve and enhance their natural or beneficial values when implementing programs affecting land use. Environmental analysis of the implementing actions for the preferred alternative will ensure development of applicable stipulations to protect this critical resource, in accordance with current Bureau policy. Therefore, no significant environmental consequences are anticipated.

Although Federal lands are excluded from the Coastal Zone program, Federal agencies are required to make a consistency determination for Federal programs within these areas by consulting with the Department of Natural Resources, Coastal Zone Program Division. This will be done on a case-by-case basis as specific land transfers,sales or exchanges and mineral leasing are proposed. Therefore, no significant environmental consequences are anticipated.

4. Wilderness Values

No tracts qualified for wilderness study areas. Therefore, no significant environmental consequences are anticipated.

5. Areas of Critical Environmental Concern

Impacts on special or unique characteristics, such as scientific or natural area values, will be evaluated and mitigated during environmental analysis. Therefore, no significant consequences are anticipated.

6. Scenic and Visual Resources

No significant change is probable in surface use of disposed tracts due to local zoning and land use controls. Therefore, no significant environmental consequences are anticipated.

7. Air Quality and Water Resources

No significant changes in use affecting these resources are probable due to local zoning and land use controls. Therefore, no significant environmental consequences are anticipated.

8. Cultural and Paleontological Resources

The Analysis of the Management Situation identified 41 tracts having high potential, 664 tracts having medium or low potential and 60 tracts having unknown potential for cultural resources. The potential for cultural resources on Federal Mineral Ownership is unknown. A thorough evaluation, including a determination of eligibility for the National Register of Historic Places and State Historic Preservation Office clearances, will be conducted as part of the environmental analysis prior to any lands or minerals development actions. Protection of all cultural, historical and paleontological resources will be ensured in accordance with current Bureau policy. Therefore, no significant environmental consequences are anticipated.

9. Prime and Unique Farmlands

None of the surface tracts met the criteria for prime farmlands. Therefore, there will be no environmental consequences.

10. Wild and Scenic Rivers

Twenty-six islands are located in existing or proposed National or State Wild and Scenic Rivers. The identified tracts, along with any Federal Mineral Ownership, will be evaluated for their effect on the management program being implemented. Specific lands and minerals actions will be evaluated for their potential effects during casework. Therefore, no significant environmental consequences are anticipated.

11. Public Use and Recreation

a. Lands

The objective is to keep public values in public (non-BLM) ownership. Lands identified as having value for public use and recreation should be managed for the benefit of the overall public. Only parcels of little or no public value will be offered for sale. Tracts with public recreational value may be sold if they have no public access across private lands. Therefore, no significant environmental consequences are anticipated.

b. Minerals

Public lands overlying Federal Mineral Ownership which is eventually developed for minerals will be at least temporarily lost to public use. The amount of land affected is expected to be minimal, and potential impacts will be

evaluated during site-specific analysis for every proposed action. Therefore, no significant environmental consequences are anticipated.

12. Social and Economic Factors

Social and economic impacts resulting from tract disposal will be insignificant statewide and regionally. Changes in the land use would have a localized effect on the aesthetic or natural visual character, but almost no economic impacts locally. Minerals resources and its associated development could have significantly greater impacts, locally and regionally. Social and economic impacts resulting from mineral development will be addressed during environmental analysis for specific minerals development actions. Therefore, no significant environmental consequences are anticipated.

C. Alternatives Comparision Summary

Selection of the preferred alternative would adopt an active management approach to BLM lands and minerals resources. This management approach would stress multiple-use, integration of surface and subsurface resource management activities and special consideration for resources of special importance.

The "no action" alternative would reflect continued custodial management of BLM lands and resources. Lands and minerals actions would be processed on an as-needed basis. Unauthorized uses and title conflicts would be resolved on a case-by-case basis rather than a coordinated approach.

Neither the preferred alternative nor the "no action" alternative would have any significant environmental effects. However, the surface disposal provisions of the preferred alternative are environmentally preferable, since they would result in identification of surface values, and would attempt to place these values under appropriate management. The mineral development provisions would provide better management control over the pace of development and the mitigation of impacts than would be possible under the "no action" alternative.

Provisions in the proposed plan which direct lands disposal and minerals development do not represent an irreversible or irretrievable commitment of resources. Implementation of the plan would ensure that critical resource values are protected. In the case of lands disposal, many of the tracts would be transferred to other agencies which have the capability for long-term active resource management and protection. Tracts which pass to the private sector would contain sale terms and deed restrictions which reference applicable local or State land use requirements. In the case of minerals development, the same laws and regulations will also ensure protection of critical resource values. Mitigation measures developed as part of casework processing would ensure protection of resource values and mitigate any significant environmental, economic or social impacts resulting from development proposals.

VI. CONSULTATION AND COORDINATION

A. Consistency

The preferred alternative is consistent with other Federal, State and local government land use plans. Consultation and coordination with other Federal, State and local agencies have identified no inconsistencies with this Plan.

Some inconsistencies may emerge when implementing actions are proposed. These will be discussed and negotiated within the limits of Federal law in each case.

B. Public Participation

1. Over 300 public agencies, organizations, industry representatives and persons in Michigan were individually contacted at the following planning steps:

   a. Announcement of renewal of planning and planning proposal, May 2, 1984.

   b. Summary of the Management Situation, June 26, 1984.

2. General Notifications

   a. Notice of Intent (NOI) to Federal Register, May 1, 1984.

   b. News Release to Michigan Newspapers, May 7, 1984.

   c. News Release to Michigan Newspapers (announcement of availability of Management Situation Summary), June 27, 1984.

3. Chronology of Intergovernmental Coordination

February 28, 1982	Letter to Michigan Regional Planning Commissions requesting interest by local governments in acquiring BLM lands.
March - August 1982	Received various letters of interest from local agencies for BLM lands.
February 22, 1984	Met with the Department of Natural Resources officials concerning this plan and land ownership issue.
May 2, 1984	Sent notices and letters to the Federal, State and local government agencies announcing renewal of planning and requesting comments on the planning proposal.

June 26, 1984	Sent the Summary of the Management Situation (inventory summary and draft preferred alternative) to all Federal, State and local agencies for review and comment.
July 31, 1984	Met with Department of Natural Resources officials to discuss the plan, land transfer and minerals management.

4. Summary of Government Agency Responses (As of January 31, 1985).

a. Local

Counties contacted	65
Number of Counties responding	37
Counties requesting acquisition	6
Benzie County	2 islands
Chippewa County	55 islands
Easton County	4 islands
Kalamazoo County	2 islands
Luce County	1 island
Milwaukee County	1 island
Total	65 islands

Seven townships requested acquisition of eight islands within their boundaries.

Regional Planning Commissions contacted	14
Regional Planning Commissions responding	4

b. State of Michigan

The Department of Natural Resources has applied for 733 of the BLM tracts for acquisition.

c. Federal

Bureau of Indian Affairs

Requested detailed information on all BLM tracts in the Upper Peninsula.

Forest Service

Hiawatha National Forest requested acquisition of four Mackinac County islands. All three National Forests are interested in exchanges with the State for surface and/or minerals with the Forest Service.

Park Service

No interest in acquisition. Concerned mostly with Federal Minerals Ownership within Park Service boundaries.

Fish and Wildlife Service

Interested in withdrawal of BLM islands adjacent to refuges.

5. Summary of Public Responses

Thirteen responses have been received from individuals. The majority are concerned with specific islands or small groups of islands in close proximity to their land ownership or in purchasing Federal land if offered for sale.

Seven responses have been received from conservation groups. They have been favorable to transfer of surface ownership to other government agencies, and favor protection of natural resources values during any mineral development.

Five responses have been received from industry representatives. Their responses have been supportive of the mineral development objectives.

C. Agencies, Organizations and Individuals Consulted

1. Local Agencies

All County Planning Commissions with BLM surface tracts
Saginaw Township (Saginaw County)
James Township (Saginaw County)
Thomas Township (Saginaw County)
Richfield Township (Genessee County)
Mackinac County Economic Development Corporation

2. Individuals (Inquiries Received From)

G.H. Cherup
Murray Campbell
Lawrence Fadner
John Woodward
William Klomparens
Don Shively
Sam Symons, Jr.
Keith Larson
John Case
Michael Kellert
M.J. Hosmer
Tom Hatcher
Joseph P. Gallagher

3. Interest Groups

The Wilderness Society
The Nature Conservancy
Western Michigan Environmental Action Council
Michigan United Conservation Clubs
Michigan Natural Areas Council
Michigan Recreation and Parks Association

Michigan Association of Conservation Districts
Izaak Walton League of America
Michigan Audubon Society
Michigan Natural Resources Council
Midwest Fish and Wildlife Commissioners
Ecological Research Services, Incorporated

4. Federal Agencies

Forest Service
Fish and Wildlife Service
Bureau of Indian Affairs
Park Service
Coast Guard
Corps of Engineers

5. Michigan State Agencies

The Governor of Michigan
Michigan Department of Natural Resources (Several divisions)
Regional Planning Commissions
Michigan History Division (State Historic Preservation Office)

6. United States Congress

All Washington, D.C. and field offices of Michigan's delegation.

7. Industry

Placid Oil Company
Wisconsin Electric
Cities Service Oil and Gas Corporation
Petroleum Abstract and Title Service Corporation
Pickands Mather and Company
New Energy Technology

7. News Media

Saginaw News
PM Magazine
WOTV - Grand Rapids

APPENDIX A

Surface Disposal Options and Criteria

The Bureau of Land Management (BLM) has been concerned with the need for land adjustment for many years. The public land pattern in Michigan is fragmented, with approximately 3,200 acres existing in a scattered pattern of relatively small tracts consisting mostly of river or lake islands.

BLM is authorized to enter into land adjustments through the Federal Land Policy and Management Act of 1976 and other public land laws. The principle also applies to adjustments in the mineral estate of lands, particularly where there is a split-estate situation with federally owned mineral estate and privately owned surface, or vice versa.

Major types of land adjustment concerning BLM in the planning area are:

1. Recreation and Public Purposes Transfers;
2. Public Sales;
3. Withdrawals;
4. Multi-Party Exchanges; and
5. Color-of-Title Act Patents.

In implementing the approved plan in Michigan, BLM will be especially concerned with management of public values and resources. This involves more than simply disposing of isolated parcels. The Bureau's adjustment disposal decisions will be made after site-specific analysis and study of land use potential.

Realty actions are designed to meet Federal Land Policy and Management Act and National Environmental Policy Act requirements, and to implement BLM planning decisions effectively. The overall goal of the program is to improve public land management through a variety of methods, including sale, exchange, or other methods of transfer.

I. Disposal and Retention Criteria

The criteria are designed to provide the manager flexibility in responding to circumstances which dictate the final disposition of each tract. Although the proposed plan calls for disposal of all tracts in Michigan, each tract will be evaluated against the following criteria to confirm that disposal is appropriate and to determine the method of disposal:

A. Disposal

Lands with the following characteristics will be sold, exchanged or transferred in the public interest:

1. Lands of limited or no public value.

2. Widely scattered parcels which are difficult or uneconomical for BLM to manage with anything beyond minimal custodial administration.

3. Lands with high public values proper for management by other Federal agencies, or State or local government.

4. Lands which will serve important public objectives (such as community expansion) as provided in the Federal Land Policy and Management Act Sec. 203(a)(3).

5. Lands which are not required for specific public purposes.

6. Lands where disposal would increase the range of economic opportunities provided to the general public.

7. Lands in which the highest value or most appropriate long-term use is agriculture, or commercial or industrial development.

8. Lands without legal public access.

B. Retention

Lands with the following characteristics will remain in Federal ownership and be managed by BLM:

1. Areas where disposal of the surface would unnecessarily interfere with the logical development of the mineral estate, e.g., surface minerals, coal, phosphate, known geologic structure, etc.

2. Public lands withdrawn by BLM or other Federal agency for which the purpose of the withdrawal remains valid.

APPENDIX B

Minerals Management Areas and Objectives

The entire State has been classified into Management Areas I, II or III representing high, moderate, or low potential for mineral production, respectively. The Minerals Resource Management Area map illustrates the general location of these areas.

The classifications presented here are not of sufficient detail for use as actual mineral potential evaluations. If mineral related activities or disposal actions are proposed for a tract of Federal land, detailed studies, which may involve exploratory operations, must be undertaken to assess the area-specific value of any minerals present. Furthermore, Public Domain hard-rock minerals in the State of Michigan are not currently available for lease or location under existing law. Unless Congress enacts legislation providing for the leasing or disposal of these minerals, they will remain unavailable for development. Congressional action may be initiated in the future as a result of an increase in industry interest in these minerals.

The following are the definitions and objectives for each of the three classes of management areas:

I. Class I Management Area (High Resource Potential)

A. Definition

Those areas for which Known Geologic Structure (KGS) designations have been made for oil and gas resources. There are no areas identified as "high potential" for solid mineral resources.

B. Objectives

(1) Retain Federal Mineral Ownership;

(2) All Federal Mineral Ownership will be available for mineral development contingent upon protection of surface values through standard environmental restrictions and procedural reviews;

(3) Determine Federal Mineral Ownership and its status (leased or non-leased) within high potential areas. Actively pursue any title problems to resolution;

(4) Offer non-leased Federal Mineral Ownership for lease through competitive oil and gas sales;

(5) Coordinate with other Federal agencies, State agencies, or other entities on tracts with split or partial mineral interest or where leasing concurrence is required prior to competitive leasing.

II. Class II Management Areas (Moderate Resource Potential)

A. Definition

Those areas which are not within a Known Geologic Structure (KGS), but are on a geologic feature within a geologic basin which is known to have productive fields or which has potential hydrocarbon production at some depth. Areas which are known or suspected to contain valuable solid minerals, even though these minerals may not be available for lease under current law.

B. Objectives

(1) Retain Federal Mineral Ownership;

(2) Determine Federal Mineral Ownership and its status (leased, non-leased or permitted);

(3) Resolve mineral title conflicts in response to mineral leasing and permitting applications;

(4) Federal oil and gas will be available for non-competitive leasing contingent upon standard environmental restrictions and procedural reviews;

(5) Pursue curative actions for existing legislation to allow leasing and development of solid minerals under Public Domain.

III. Class III Management Areas (Low Resource Potential)

A. Definition

Those areas which, as a whole, have little or no potential for mineral production. Some minerals, however are known to be present in various amounts.

B. Objectives

(1) Determine Federal Mineral Ownership and its status (lease, non-leased or permitted);

(2) Federal minerals may be available for disposal contingent upon a site-specific mineral inventory report to be prepared at the time of disposal;

(3) No active leasing program will be initiated, although Federal oil and gas will be available for non-competitive leasing contingent upon standard environmental restrictions and procedural reviews;

(4) Resolve mineral title conflicts in response to mineral leasing and permitting applications.

APPENDIX C

Principal Preparers and Their Responsibilities

Many Milwaukee District Office personnel were involved in the preparation of this planning effort. Frequent meetings and daily informal conversations were held among staff, supervisors and management. Interdisciplinary coordination was particularly intensive during preplanning, identification of issues and criteria, Summary of the Management Situation, development of alternatives and review of the Proposed Plan and Environmental Assessment. The staff members principally responsible for the conduct of this planning effort are cited below.

Larry Johnson - District Environmental Coordinator (Team Leader)

Coordinated the planning effort. Developed Preplan and planning schedule. Ensured timeliness and quality control of other preparers' contributions. Wrote, edited and conducted internal reviews of planning documents, including the Preplan, Notice of Intent, Summary of the Management Situation, Proposed Plan and Environmental Assessment, Decision Record, Approved Plan, and associated press releases and letters for public participation and intergovernmental coordination. Maintained public and intergovernmental contact files and responded to requests for information. Maintained contacts with State and local governmental units and conducted briefings for ~~key State~~ officials, industry representatives and others.

Bill Grossi - Natural Resource Specialist

Identified potential for and assess impacts on threatened and endangered species, wetlands, floodplains, prime farmlands and areas of critical environmental concern.

Duane Marti - Cultural Resource Specialist

Identified potential for and assess impacts on historic and cultural resources, recreation values and visual resources.

Priscilla McLain - Realty Specialist

Developed disposal/retention recommendations and rational for plan. Identify support needs and implementation sequences.

Paula Langley - Geologist

Identified and verified Federal Mineral Ownership to the extent possible. Initiated contacts with other Federal agencies in Michigan to improve mineral estate records.

Mike Fitzpatrick - Geologist

Developed minerals inventory and assessment development potential. Defined management areas and developed objectives for mineral resources.